

March 11, 2024

LAURA A. AUSTIN, CLERK

BY:

/s/T. Taylor
DEPUTY CLERKIN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISIONTIMOTHY ZACHARIAH
SANTIAGO,

Plaintiff,

v.

LYNCHBURG POLICE
DEPARTMENT,

Defendant.

Civil Action No. 7:23cv00281

MEMORANDUM OPINIONBy: Hon. Thomas T. Cullen
United States District Judge

Plaintiff Timothy Zachariah Santiago, proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983. By conditional filing orders entered May 19 and 30, 2023, the court advised Santiago that he must notify the court in writing immediately upon his transfer or release and must provide the court with his new address. (*See* ECF Nos. 3 & 6.) The court further advised Santiago that failure to provide an updated address would result in dismissal of this action. (*Id.*)

On March 1, 2024, a Memorandum Opinion and Order sent to Santiago was returned to the court marked “RTS” and did not contain a forwarding address. (*See* ECF No. 44.) To the extent that Santiago is no longer housed at the address on record, he has failed to provide the court with an updated address as required by the court’s conditional filing orders. Accordingly, the court will dismiss this action without prejudice for failure to comply with the court’s orders. The court notes that this dismissal is without prejudice to Santiago’s opportunity to refile his claims in a separate civil action, subject to the applicable statute of limitations.

The Clerk shall send a copy of this Memorandum Opinion and the accompanying Order to Santiago at his last known address and to counsel of record for the defendants.

ENTERED this 11th day of March, 2024.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE